

JUDGE KAPLANUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDS SDNY
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DATE FILED: 1/22/08

QUANTUM CORPORATE FUNDING, LTD.,

08 CV 00539

Docket No.

Plaintiff,

-against-

WESTWOOD DESIGN/BUILD
INCORPORATED, DAVID B. WARFIELD,
And NATIONAL CITY MORTGAGE INC.,**ORDER TO SHOW CAUSE
FOR PRELIMINARY
INJUNCTION WITH TEMPORARY
RESTRAINING ORDER**

Defendants.

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Upon the Affidavit of Craig Sheinker, sworn to the 22 day of January, 2008, and the Affidavit of Bernard Kobroff, Esq. sworn to January 22, 2008 and upon the copy of the Complaint hereto annexed, it is,

ORDERED, that the above named defendants, Westwood Design/Build Incorporated and David R. Warfield, show cause before a motion term of this Court, at Room 12D, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on Jan 25, 2008 at 11 o'clock in the morning hereof, or as soon thereafter as counsel may be heard, why an Order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure: (a) enjoining the defendant Westwood Design/Build Incorporated during the pendency of this action from, without the written consent of the plaintiff, selling, transferring, assigning or in any way conveying or encumbering assets pledged by it to plaintiff as security, or of moneys received in payment of its accounts receivable, or of moneys received from the plaintiff, or of goods and materials paid for by plaintiff; and (b) enjoining the defendant David R. Warfield from, without the written consent of the plaintiff, selling, transferring, assigning or in

anyway conveying or encumbering any monies on property in the name of or received from or belonging to or held for the benefit of defendant Westwood Design/Build Incorporated; and its further;

ORDERED, pending the hearing, and determination of this order to show cause, that (a) defendant Westwood Design/Build Incorporated ^{shall} ~~may~~ not, without the written consent of the plaintiff, sell, transfer assign or in any way convey or encumber assets pledged by it to plaintiff as security, or of moneys received in payment of its accounts receivable, or of moneys received from the plaintiff, or of goods, and materials paid for by plaintiff; and (b) defendant David R. Warfield ^{shall} ~~may~~ not, without the written consent of the plaintiff, sell, transfer, assign or in anyway convey or encumber any monies on property in the name of or received from or belonging to or held for the benefit of defendant Westwood Design/Build Incorporated; and it is further;

ORDERED that security in the amount of \$ 5,000 be posted by the plaintiff prior to 4:30 pm on 1/23/08, at o'clock in the ~~noon of that day~~, and it is further provided, however, that this order is effective immediately,

ORDERED that personal service of a copy of this Order and the annexed

Affidavits upon the defendant Westwood Design/Build Incorporated and on David R.

Warfield, or their counsel, on or before 1 pm ~~5 pm~~ on o'clock in the noon,

1/24/08, shall be deemed good and sufficient service thereof.

Dated: New York, New York 1/22/08

ISSUED: 3:22 pm


United States District Judge